



April 21, 2023

**Via ECF**

The Honorable Colleen McMahon  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

4/24/23

OK

Colleen McMahon

Re: *In re: New York City Policing During Summer 2020 Demonstrations,*  
*No. 20-CV-8924*  
*This Filing is Related to Payne v. de Blasio*

Dear Judge McMahon:

We represent the Plaintiffs in *Payne v. de Blasio* and write respectfully with consent of Defendants and Intervenor-Defendants in the consolidated actions to request that the Court issue an order granting the *Payne* Plaintiffs permission to file a Corrected Second Amended Complaint. A Second Amended Complaint was filed on consent at ECF Dkt. No. 938. However, in Paragraphs 19 and 20 of the Second Amended Complaint, we inadvertently neglected to remove the official capacity claims against Defendants Bill de Blasio and Terence Monahan in accordance with the Court's Memorandum Decision and Order Granting in Part and Denying in Part Defendants' Motion to Dismiss the Amended Complaints, dated July 9, 2021 (ECF Dkt. No. 105). The Clerk's office instructed us to draft a letter asking for the Court's permission to file a Corrected Second Amended Complaint. Along with this letter, we are filing a copy of the proposed Corrected Second Amended Complaint we intend to file (Exhibit A), and the consent of Defendants and Intervenor Defendants (Exhibits B-E).

Respectfully submitted,

NEW YORK CIVIL LIBERTIES UNION  
FOUNDATION

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